




National Park Service U.S. Department of the Interior	Chamizal National Memorial	800 S. San Marcial Street El Paso, Texas 79905
Superintendent's Compendium Of Designations, Closures, Permit Requirements and Other Restrictions Imposed Under Discretionary Authority.		915-532-7273 phone 915-532-7240 fax
Approved:  Fernando Sanchez, Superintendent Date: March 31, 2016		

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following regulatory provisions are established for the proper management, protection, and government and public use of those portions of Chamizal National Memorial under the jurisdiction of the National Park Service. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Standard definitions for certain terms may be found in 36 CFR §1.4

36 CODE OF FEDERAL REGULATIONS

§1.5 – CLOSURES AND PUBLIC USE LIMITS

"Designate areas for a specific use or activity, or impose conditions or restrictions on a use or activity."

Public use limit means the number of persons; number and type of animals; amount, size, and type of equipment, vessels, mechanical modes of conveyance, or food/beverage containers allowed to enter, be brought into, remain in, or be used within a designated geographic area or facility; or the length of time a designated geographic area or facility may be occupied.

The "Amphitheater" also designated as the "bowl" includes all the grounds, turf, and facilities within the curb-line of the inner circle of the main access roadway forming a circular area including the entire outdoor stage on the southern end.

The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g. model airplanes, quadcopters, and drones) that are used for any purpose, including for recreation or commerce.

The following visiting hours and public use limits are established for all or for the listed portions of the memorial:

Visiting Hours § (a) (1):

-Memorial grounds are open from 7:00 a.m. to 10:00 p.m. daily and are closed from 10:00 p.m. to 7:00 a.m.

-Cultural Center Complex (CCC) is open daily from 10:00 a.m. to 5:00 p.m. The CCC includes the visitor center and information desk, lobby, museum, bookstore and art galleries.

-Theater is open for scheduled authorized events only.

-Administrative Office is open 8:00 am to 4:30 pm, Monday through Friday. Offices are closed on all Federal Holidays.

-Entire memorial is closed on Thanksgiving, Christmas, and New Year's Day(s).

Note: Other areas, such as all or portions of the grounds, comfort stations, selected portions of roadways, parking lots or access gates, may be closed temporarily or intermittently to vehicle traffic, or other uses, during emergencies, periods of unusual visitor use, special events, or for other administratively determined purposes.

Conditions or restrictions on use or activity § 1.5(a) (2):

-Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Chamizal National Memorial is prohibited except as approved in writing by the superintendent. (*Determination: This regulation is necessary to maintain public health and safety and avoid conflict among visitor use activities and no less restrictive measures will suffice due to the relative small size of the memorial and its immediate proximity to the international border crossing and boundary with Mexico.*)

-No person shall use or possess any glass beverage bottle or other glass beverage container on memorial grounds.

- *Broken glass can be a potential hazard to the public.*

-The use of recording equipment and cameras (with or without flash) during performances in the Memorial Theater or amphitheater is prohibited except by authorized press and personnel or by permit.

-It is prohibited to remove materials already deposited in government refuse receptacles. Climbing onto or into refuse receptacles is also strictly prohibited.

-On memorial grounds, no person shall bring in, set-up, use, or allow others to use, amusement park style equipment or structures such as jumping balloons, trampolines, climbing walls, dunk-tanks, swing-sets or other similar playground equipment.

-It is prohibited for any person to climb into trees or to attach any rope, wire, or other contrivances to any tree or plant on memorial grounds. This includes use of *piñatas* or any other activities which may damage tree branches or bark.

-Games or other activities which damage turf or other vegetation are prohibited. For example, horse shoes or "wachas" may not be played on turf areas but are authorized in the non-turfed, dirt areas of the southwest corner of the grounds.

-It is prohibited for any person to launch or fly model rockets powered by ignitable fuels, or to propel objects such as arrows, javelins, golf balls, stones, hard balls or other missiles or using other instrument(s) capable of throwing a projectile on memorial grounds.

-Possession and use of balloons on memorial grounds is prohibited without a permit.

- *Popped balloons leave too much litter.*
- *Helium balloons are prohibited because of the high risk of or upon release pollutes the environment.*

-Possessing, using, and filling balloons, water guns, or soaking sponges with water acquired from memorial faucets, sprinklers, water fountains, or other similar government provided facilities to engage in water fights is prohibited.

-Possession or use of "confetti eggs or "cascarones" or engaging in other litter producing activities like spraying "silly string" or throwing water balloons is prohibited.

-During set-up for, during a scheduled authorized special event, and during the subsequent strike, the following applies in the "amphitheater / bowl", audience viewing areas adjacent to the bowl and on the grounds where applicable:

- Packages, coolers, and other containers are subject to inspection for contraband by law enforcement staff before entry onto memorial grounds will be allowed.
- Use of canopies, tents, umbrellas, banners, flags, and other similar objects which would block or obscure the view of other audience members is prohibited and must be removed before show's start.
- Erection or set-up of sports equipment such as nets, goals, etc. is prohibited.
- Playing sports like throwing or kicking games is prohibited, e.g. football, baseball, Frisbee, or Hacky-Sac, etc..
- Possession of pets is prohibited.
- Persons and property may not block aisles.
- Persons may not block sight lines, for example, by sitting, standing, or climbing upon the mixing point wall or upon aisle barricades, signs, or other structures.
- Riding bicycles through the "festival style" seating areas is prohibited. If necessary, dismounting and walking the bicycle through the audience is allowable.

-Persons may not engage in activities which distract or attract spectator attention away from the authorized event, examples include playing musical instruments, "capoeira", sword dancing, clown costumes or comedy routine(s), hula hoops, or other activities such as loud, insulting language or comments or inappropriate conversation or behavior.

§1.6 (f) –PERMITS: Compilation of activities requiring a permit

The following activities require a permit from the superintendent in accordance with the sections listed or unless otherwise addressed in this compendium.

- § 1.5 Closures and public use limits. Exceptions to any closure or public use limit designated herein.
- § 2.4 Weapons, traps and nets. Carrying or possessing, using a weapon, trap, or net.
- § 2.5 Research specimens. Taking or killing of any plant, fish, wildlife, rocks or minerals for research.
- § 2.10 Camping and food storage. Erecting a tent or shelter, preparing a sleeping bag or bedding material for use, or parking a motor vehicle, motor home or trailer, for the apparent purpose of overnight occupancy.
- § 2.12 Audio disturbances. Operating a power saw, a portable motor or engine (such as an electrical generating plant), or a public address system. Also, operating an audio device, such as a radio, television set, tape deck or musical instrument that exceeds noise level of 60 decibels at 50 feet.
- § 2.13 Fires. Lighting or maintaining a fire outside the conditions established by the superintendent.
- § 2.14 Sanitation and refuse. Using government refuse receptacles outside conditions established.
- § 2.15 Pets. Possessing a pet in any structure or area closed by superintendent, leaving a pet unattended and tied to an object or activities outside conditions set by superintendent for pet excrement disposal.
- § 2.17 Air delivery. Delivery or retrieval of a person or object by parachute, helicopter or other airborne means, or removal of a downed aircraft.
- § 2.22 Property. Leaving property unattended, after visiting hours, and/or for over 24 hours.
- § 2.37 Noncommercial soliciting. Soliciting or demanding gifts, money, goods, or services.
- § 2.38 Explosives. Using, possessing, storing, or transporting explosives, blasting agents, explosive materials, or fireworks and firecrackers.
- § 2.50 Special events. Conducting sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events.
- § 2.51 Public assemblies, meetings. Conducting public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views.
- § 2.52 Sale or distribution of printed matter. Selling or distributing printed matter.
- § 2.60 Livestock use and agriculture or Grazing § 2.60(a) (1)-(3)
- § 2.61 Residing on federal lands.
- § 2.62 Memorialization. Installing a monument, memorial, tablet, structure, or other commemorative installation (including) scattering of ashes from cremation.
- § 3.3 Permits (Boating and Water Use Activities). Using a vessel (watercraft) within memorial boundaries.
- § 4.11 Load, weight and size limits. (Vehicles and Traffic Safety). Operating a vehicle exceeding designated limits.
- § 5.1 Advertisements. Displaying, posting, or distributing commercial notices or advertisements on federal land.
- § 5.3 Business operations. Engaging in or soliciting any business in park area (memorial).
- § 5.5 Commercial photography. Still photography, filming of motion pictures or television involving the use of professional casts, settings or crews, or for the purpose of commercial advertisement.
- § 5.6 Commercial vehicles. Use of commercial vehicles on park area (memorial) roads.
- § 5.7 Construction of buildings or other facilities. Constructing or repairing any building, structure, facility, road, trail or airstrip on federal lands (within the legislative boundaries of the memorial).

§2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES

(a)(4) No dead wood on the ground may be collected for use. Also reference section 2.13 "Fires" below.

(c)(1), (c) (2) The following fruits, nuts, or berries may be gathered by hand for personal use or consumption, in reasonable quantities. These natural products may be collected without negatively impacting the growth and replenishment of the producing plant.

- *Prickly pear cactus fruit (also known as "tunas" [pl] in Spanish)*

§2.2 – WILDLIFE PROTECTION

(d) Transporting lawfully taken wildlife through the park is prohibited.

(e) All areas are closed to the viewing of wildlife with the use of an artificial light, except as required by official Government business or specifically permitted scientific studies.

§2.10 – CAMPING and FOOD STORAGE

(a) Camping is not permitted.

§2.11 – PICNICKING

-Picnicking is allowed on memorial grounds and in designated picnic areas except in areas closed by the superintendent by §1.5.

-The following designated areas are closed to picnicking:

- Within and between the buildings and structures of the cultural center complex, specifically within the area known as the "Spanish garden" which includes the entire breeze-way and the garden shade canopy.
- On roadways or parking lot(s) surfaces that are designated for motor vehicle travel.

§ 2.12 AUDIO DISTURBANCES

-The following are prohibited: Operating motorized equipment or machinery such as an:

- electric generating plant (generator),
- motor vehicle,
- motorized toy,
- an audio device, such as a:
 - radio,
 - television set,
 - tape deck or musical instrument, in a manner:
 - (i) That exceeds a noise level of 60 decibels measured on the A-weighted scale at 50 feet; or, if below that level, nevertheless;
 - (ii) makes noise which is unreasonable, considering the nature and purpose of the actors conduct,
- location,
- time of day or night,
- purpose for which the area was established,
- impact on park users,
- and other factors that would govern the conduct of a reasonably prudent person under the circumstances.

§2.13 – FIRES

(a)(1) The lighting or maintaining of fires is prohibited; except as provided for in the following designated areas or receptacles:

-Use of charcoal grills, fuel powered stoves, torches, candles and all other types of open flames are prohibited within the "amphitheater bowl" of the memorial.

Designated Areas: Fires using charcoal or small sized firewood may be ignited and maintained in government provided grills or privately owned grills designed to accommodate open fires, specifically only for the non-commercial preparation of food. Such fires must be attended until extinguished or properly disposed of.

Restrictions:

- Charcoal grills, fuel powered stoves, torches, candles and all open flames are prohibited within the amphitheater in accordance with §1.5.
- All materials used to fuel fires must be brought in from outside the memorial and are limited to charcoal or uncontaminated, small-sized firewood, appropriate for food preparation.
- Only commercial BBQ lighter fluid shall be the only authorized accelerant used to start fires.
- Burning oils, asphalt, synthetic rubber, plastic, automotive fuels and pressure or chemically treated wood or similar materials is prohibited.

Receptacles Allowed: All government provided grills. Privately owned propane-style fuel powered stoves and charcoal grills may be used on the grounds, however, charcoal grills and stoves shall not be placed and used on top of picnic

tables or benches, on sidewalks, walking trails, roadways, paved parking lot surfaces or in close proximity to combustible materials which includes the turf or landscaped grass areas. Minimum grill height of 6 inches above surface or other appropriate height to prevent scorching or damage to the turf is required.

Proper disposal: Fires shall be extinguished upon termination of use and all remaining hot coals, charcoals, embers, or still burning or smoldering materials properly disposed of in appropriate containers including government provided "ash receptacles" placed around the memorial grounds.

Note: Throwing or discarding lighted or smoldering material into garbage cans or dumpsters or in any manner or location that threatens, causes damage to, or results in the burning of property, memorial resources or creates a public safety hazard is prohibited.

§2.15 – PETS

-Possession of pets, except for service animals, is prohibited anywhere on memorial grounds, between the hours of 2:00 p.m. through closing at 10:00 p.m. during Music Under the Stars concert series and other authorized scheduled special events, specifically on these dates in calendar year 2016:

July 4, 10, 17, and 24, 2016.

(This does not apply to pets within vehicles transiting the memorial roadways or parking lots on the above listed days.)

-Possession of pets, except for service animals, is prohibited in the "amphitheater bowl" during authorized special events.

(a)(5) Pet excrement must be disposed of in accordance with the following conditions:

-All pet excrement must be removed by the owner/keeper from all trails, roads, grounds, picnic areas, and parking areas, and shall be deposited in refuse containers or removed from the area.

§2.16 – HORSES and PACK ANIMALS

(a) In order to protect public health and safety, horses and pack animals are prohibited on all memorial grounds, unless otherwise permitted by the Superintendent. Note: These conditions do not apply to the use of horses by authorized government officials and public safety-related operations such as crowd control.

§2.18 – SNOWMOBILES

(b) The use of snowmobiles is prohibited.

§2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

Using roller skates, skateboards, hoverboards, roller skis, scooters, coasting vehicles or similar devices is prohibited throughout the memorial.

§2.21 – SMOKING

(a) The following portions of the park, or all or portions of buildings, structures or facilities are closed to smoking:

-At all times within all federal government owned buildings of the Memorial and in any government owned or leased vehicles.

-When posted during scheduled events in the "amphitheater" also designated as the "bowl" including all the grounds, turf, and facilities within the curb-line of the inner circle of the main access roadway forming a circular area including the entire outdoor stage structure on the southern end.

§2.35 ALCOHOLIC BEVERAGES

(a)(3)(i) The following public use areas, portions of public use areas, and/or public facilities within the park are closed to consumption of alcoholic beverages:

- During the months of June, July and August, (June 1st through August 31st of each year), alcoholic beverages may not be possessed or consumed anywhere within Chamizal National Memorial without a special use permit authorized by the memorial superintendent. Packages, coolers, and other containers are subject to inspection for contraband by law enforcement staff. Alcoholic beverages, whether opened or not opened, may not be present on memorial grounds.

-When ordered by the Superintendent, during designated authorized special events and when posted, open alcoholic beverages may not be possessed or consumed within the "event area" boundaries without a special use permit.

-Possession or consumption of open alcoholic beverages is prohibited when memorial grounds are closed. Note: Closed daily from 10:00 p.m. to 7:00 a.m. and on Thanksgiving, Christmas and New Year's Day(s).

-Possession or consumption of open containers of alcoholic beverages are prohibited within memorial buildings and facilities unless specifically authorized by the Superintendent by written permit. This excludes outdoor picnic areas, canopies, pavilions and the public comfort station facilities during allowed times.

In accordance with all applicable local, state, and Federal law, incidents of aberrant behavior related to the consumption of alcoholic beverages or controlled substances will be diligently investigated and managed in order to alleviate problems related to such illegal conduct. While except for a ban during June, July, and August of each year, alcoholic beverages are permitted on the grounds of the memorial, the rules and regulations regarding its use will be strictly enforced in order to best protect the public and the resources of the area.

-\$ \$2.50 SPECIAL EVENTS

-For use of the theatre and amphitheater for presentations which will be incorporated into NPS regular programming and includes the use of NPS technical support, special use permit applications (booking requests) are now taken during the listed scheduled periods only.

The theater at Chamizal National Memorial is booked only during three specific periods of each year.

-Application forms and instructions are available on January 1st for June through September of the same calendar year. These forms must be completed and returned/submitted by February 15th. Confirmations are sent by mid-March.

-Applications forms and instructions are available May 1st for October of the same calendar year through January of the following year. These forms must be completed and returned by June 15th. Confirmations are sent by mid-July.

-Forms and instructions are available September 1st for events to be scheduled during February through May of the following year. These forms must be returned by October 15th. Confirmations are sent by mid-November.

-All forms must be submitted by mail and include a non-refundable check or money order for \$50.00 processing fee. A completed cultural justification questionnaire (included in the booking packet) explaining how the proposed event corresponds to the Memorial's mission must also be submitted.

Note: the cultural justification questionnaire is required for all theater applications.

-The following conditions are also required for consideration for a scheduled performance or event request to be approved:

- A representative, member, agent, and/or consultant from the performing group must attend one regularly scheduled two-hour Special Use Permit Workshop offered at no cost by the memorial within the previous two years or one workshop and a one-hour refresher within the previous three years.

- Upon selection, an additional \$50.00 will be charged for the Special Use Permit. Any overtime charges or damages will be billed to the permit holder under the Cost Recovery Program. The booking Packet includes details and forms for reserving the theater.

-Small scale organized activities by memorial patrons, such as birthday parties and other celebrations are allowed on grounds, however, organizations, associations, companies, clubs or any other groups of over fifty (50) people must obtain

a properly executed Special Use Permit authorized by the Superintendent. A non-refundable administrative processing fee of \$50 may be required.

36 CFR § 2.51 PUBLIC ASSEMBLIES AND MEETINGS

The following areas have been designated for public assemblies and meetings:

- 1) the front sidewalk at base of the "esplanade" just north of the information kiosk (in a 10'x20' area totaling 200 square feet, located adjacent to and south of the grass area located along the cement walkway leading to the front doors of the cultural center)
- 2) the First Amendment Area Circle (a 15'x 20' area totaling 300 square feet, located at the southeast corner of the "esplanade", bounded by the circular gravel pad), and (3) On the esplanade, between the two self standing walls just south of the cultural center (visitor center) front doorways. All of these sites may not be available at any given time due to other scheduled or unscheduled park functions or events. These areas are designated on the attached map (Exhibit 1). Visitors may not be approached outside these areas or anywhere else beyond the limits described.

§2.52 – SALE OR DISTRIBUTION OF PRINTED MATTER

Sale or distribution of printed materials is allowed by permit only in the areas described in the public assembly areas and on the last five feet of the west end of the information desk inside the cultural center. See attached map (Exhibit 1). Visitors may not be approached.

36 CFR §2.60 – LIVESTOCK USE AND AGRICULTURE

(a) Absent a permit, the running-at-large, herding, driving across, allowing on, pasturing or grazing of livestock of any kind in a park area for agricultural purposes is prohibited

36 CFR §2.62 – MEMORIALIZATION

(b) The scattering of human ashes from cremation is prohibited.

36 CFR §3.3 – BOATING OPERATIONS

Boating within the memorial is prohibited without a permit. This does not apply to the use of water craft by authorized government officials and public safety-related operations such as search and rescue.

36 CFR §3.21 – SWIMMING AND BATHING

(a)(1) All areas within the memorial are closed to swimming and bathing.

§4.10 – TRAVEL ON PARK ROADS AND ROUTES

a) Use of motor vehicles on memorial grounds including trails and sidewalks is prohibited without a permit. Segway's, motorized scooters, electric cars, go-carts, and similar vehicles are prohibited: "Operating a motor vehicle is prohibited except on park roads and in parking areas," and this is limited to street legal vehicles.

(a) Operating a motor vehicle within the memorial is prohibited except on the paved ("black-top") main access roadway, utility access road behind the cultural center, and in designated public parking areas. Use of the unpaved, gravel utility road in southeast corner of the memorial is prohibited without a permit or by the conditions expressed in a legally executed Memo of Understanding.

-Any park visitor with a disability is permitted to use an electric personal assistive mobility device (Segway) and similar devices throughout the memorial, including all structures, facilities, park roads, sidewalks, trails and other surfaces when such devices are used by a mobility-impaired person for locomotion for the sole purpose of mobility assistance. In effect, use is authorized anywhere a motorized wheelchair is allowed.

-Finally, use of any mobility assistive device, as outlined above, must also adhere to the following:
- No person under 16 years of age may operate a Segway.

- A person shall operate any mobility assistive device in a safe and responsible manner and when on pedestrian surfaces (i.e. sidewalks or trails) the maximum speed will not exceed more than 3 M.P.H. this, so as not to endanger one's self or any other memorial visitor.

-A person riding any mobility assistive device upon and along a sidewalk, while crossing a roadway in a crosswalk, or on any other surface shall have all the rights and duties applicable to a pedestrian under the same circumstances, except that the mobility assistive device operator must always yield to pedestrians. Access through the "festival style" seating area of the Bowl during special events in the amphitheatre is difficult by disabled visitors utilizing Segway's or similar devices. Visitors wishing such access must use and operate at a speed and in a manner which ensures the safety of themselves and all other visitors.

§4.12 TRAFFIC CONTROL DEVICES AND §4.13 OBSTRUCTING TRAFFIC.

Motor vehicles and passenger carrying busses are subject to the following restrictions on park roads within the memorial:

- All motor vehicles must park within designated parking spaces only. Spaces are designated by clearly marked white lines in the main lot; in the secondary, gravel lot, a cement bumper block indicates each individual space.
- Busses must park within the designated double long spaces located between islands in the main lot and within the white lines. Parking perpendicular to white lines is prohibited.
- Curbs marked in yellow are designated as "loading and unloading zones only," unattended stopping or standing and parking is prohibited.
- Busses must shut down their engines when not underway.
- "Saving" parking spaces for vehicles not physically present and immediately next in line to park is prohibited.

§4.21 – SPEED LIMITS

(b) The following maximum speed limit(s) are established and posted for the roads and parking areas as indicated:

- 15 MPH (as posted) on main access road and paved main parking lot area(s).
- 10 MPH when otherwise posted with temporary signage, for special events or special circumstances.
- 5 MPH (as posted) in the gravel secondary parking in the southwest corner of the memorial.

§4.30 – BICYCLES

(a) Bicycle use is permitted on park roads, parking areas, and on the following designated routes:

- Cordova "red gravel" Trail, except as designated by "No Bicycle" signs

-Bicycles must be ridden on the right-hand side of traveled roads, in the same direction of travel as all other vehicular traffic, and in general, conform with all state and federal vehicle traffic regulations.

§5.1 – ADVERTISEMENTS

Without the approval from the Superintendent no commercial or advertisement will be displayed.

- *When permission is granted, commercial and or advertisement will follow the protocols of the Code of Federal Regulation.*

§5.3 – BUSINESS OPERATIONS

When engaging or soliciting any business on memorial grounds, a special use permit, contract, or written agreement will be required and approved by the Superintendent.